

WEDNESDAY, APRIL 25, 2012

SEVENTY-NINTH LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Madam Speaker Harwell.

The proceedings were opened with prayer by Herb Alsup and Andy Walker, Woodbury Church of Christ, Woodbury, TN.

Representative Pody led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present..... 99

Representatives present were Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 99

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 844 Rep(s). Dunn, McDaniel, Shipley, Parkinson, H. Brooks, R. Williams, Weaver and K. Brooks as prime sponsor(s).

House Joint Resolution No. 933 Rep(s). Rich, Wirgau, Weaver, Butt and Shipley as prime sponsor(s).

House Joint Resolution No. 1057 Rep(s). Parkinson as prime sponsor(s).

House Joint Resolution No. 1060 Rep(s). K. Brooks, Ragan, Swann, Hall, Campbell, Harrison, Wirgau, Hawk, Holt, K. Williams, Powers, Montgomery, Eldridge, Dunn, H. Brooks, Hensley, Elam, C. Johnson, Niceley, Halford, Fitzhugh, Evans, Weaver and Hurley as prime sponsor(s).

House Joint Resolution No. 1064 Rep(s). Hensley as prime sponsor(s).

House Bill No. 1075 Rep(s). McDonald as prime sponsor(s).

House Bill No. 2566 Rep(s). Haynes, Hall and Alexander as prime sponsor(s).

**MESSAGE FROM THE SENATE
April 25, 2012**

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 911; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Joint Resolution No. 911 -- Memorials, Retirement - Susan Cooper, Commissioner of the Department of Health. by *Johnson, *Overbey.

PERSONAL ORDERS

RECOGNITION IN THE WELL

Representative M. Turner, joined by Representatives Fitzhugh and Maggart, was recognized in the Well in order to honor Representative McDonald's service to the State of Tennessee.

RULES SUSPENDED

Rep. M. Turner moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 844 out of order, which motion prevailed.

House Joint Resolution No. 844 -- Memorials, Public Service - Representative Michael McDonald. by *Turner M, *Pitts, *Pruitt, *Odom, *Moore, *Gilmore, *Towns, *Cooper B, *Sontany, *Jones S, *Windle, *Tindell, *Curtiss, *Turner J, *Armstrong, *DeBerry J, *Shaw, *Miller L, *Shepard, *Kernell, *Richardson, *Naifeh, *Fitzhugh, *Brown, *Favors, *Hardaway, *Tidwell, *Bass, *Camper, *Stewart, *DeBerry L.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. M. Turner, with the request that all members voting aye be added as co-prime sponsors, the resolution was adopted by the following vote, with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Holt, Hurley, Pody, Ragan and Womick.:

Ayes 99
Noes 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley,

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Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 99

A motion to reconsider was tabled.

RECOGNITION IN THE WELL

Representative Maggart, joined by Representatives Casada and Dunn, was recognized in the Well in order to honor Representative Hensley's service to the State of Tennessee.

RULES SUSPENDED

Rep. Maggart moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 933 out of order, which motion prevailed.

House Joint Resolution No. 933 -- Memorials, Public Service - Representative Joey Hensley. by *Maggart, *Sargent, *Ragan, *Haynes, *Coley, *Niceley, *Dean, *Brooks K, *Williams R, *Sparks, *White, *Carr, *Floyd, *Ramsey, *McCormick, *Faison, *Holt.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Maggart, with the request that all members voting aye be added as co-prime sponsors, the resolution was adopted by the following vote, with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Holt, Hurley, Pody, Ragan and Womick.:

Ayes 99
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 99

A motion to reconsider was tabled.

RECOGNITION IN THE WELL

Representative Cobb was recognized in the Well in order to introduce Mrs. Judith King Barth, the 2011 Ms. Tennessee Senior America Pageant winner.

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

***House Resolution No. 285** -- General Assembly, Statement of Intent or Position - Supports location of VA hospital at Roane Medical Center facility in Harriman. by *Cobb.

House State and Local Government Committee

***House Joint Resolution No. 1055** -- Highway Signs - "Ltc. Everette B. Crumpler III Memorial Highway," segment of Highway 104 in Gibson County. by *Halford.

House Finance, Ways and Means Committee

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar No. 2 for April 25, 2012:

House Resolution No. 286 -- Memorials, Recognition - Landon Crabtree. by *Matheny.

House Resolution No. 287 -- Memorials, Public Service - Phillip J. Timp. by *Lundberg.

House Resolution No. 288 -- Memorials, Recognition - Wilma LeSure. by *Favors.

House Resolution No. 289 -- Memorials, Interns - Ethan Norwood. by *McManus, *Lundber, *Sexton, *Fitzhugh.

House Resolution No. 290 -- Memorials, Interns - Andrew Smith. by *McManus, *Lundberg, *Sexton.

House Resolution No. 291 -- Memorials, Interns - Ashley M. Collins. by *Bass.

House Joint Resolution No. 1067 -- Memorials, Recognition - Hales Community Ruritan, 30th anniversary. by *Hill.

House Joint Resolution No. 1068 -- Memorials, Interns - Rita Jorgensen. by *Hill.

House Joint Resolution No. 1069 -- Memorials, Interns - Breanna Pendilton. by *Hill, *Evans.

House Joint Resolution No. 1070 -- Memorials, Recognition - Nashville International Airport, 75th anniversary. by *Stewart.

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House Joint Resolution No. 1071 -- Memorials, Death - Evert Jarrett. by *Hill, *Ford.

House Joint Resolution No. 1072 -- Memorials, Recognition - "Undeclared," 2012 Academy Award for Best Documentary Feature. by *Miller L, *Camper, *Coley, *Shepard, *Richardson, *Kernell, *Todd, *DeBerry L, *Todd.

House Joint Resolution No. 1073 -- Memorials, Sports - Bethel University Roller Hockey Team, National Champions. by *Holt.

House Joint Resolution No. 1074 -- Memorials, Academic Achievement - Joshua Morgan Bland, Valedictorian, Portland High School. by *McDonald.

House Joint Resolution No. 1075 -- Memorials, Recognition - Larry Collins. by *McDonald.

House Joint Resolution No. 1076 -- Memorials, Academic Achievement - Nicklaus Wade Curtis, Salutatorian, Portland High School. by *McDonald.

House Joint Resolution No. 1077 -- Memorials, Academic Achievement - Rebekah Eryn Meyer, Salutatorian, Portland High School. by *McDonald.

House Joint Resolution No. 1078 -- Memorials, Academic Achievement - Jared Michael Rhoades, Salutatorian, White House High School. by *McDonald.

House Joint Resolution No. 1079 -- Memorials, Academic Achievement - Cameron Rhoades, Salutatorian, White House High School. by *McDonald.

House Joint Resolution No. 1080 -- Memorials, Academic Achievement - Tanner Lucas Nelson, Valedictorian, Portland High School. by *McDonald.

House Joint Resolution No. 1081 -- Memorials, Interns - Parker Thomas Brown. by *Maggart.

House Joint Resolution No. 1082 -- Memorials, Recognition - Paul Morris. by *Cooper B, *Towns.

House Joint Resolution No. 1083 -- Memorials, Recognition - Velma Lois Jones. by *Cooper B, *Towns.

House Joint Resolution No. 1084 -- Memorials, Public Service - Dr. Chandra Reddy. by *Cooper B, *Towns.

House Joint Resolution No. 1085 -- Memorials, Recognition - Dr. Kriner Cash, Memphis City Schools. by *Cooper B, *Towns.

House Joint Resolution No. 1086 -- Memorials, Academic Achievement - Diana Lockett, Salutatorian, Carver High School. by *Cooper B, *Towns.

House Joint Resolution No. 1087 -- Memorials, Academic Achievement - Pierra Johnson, Valedictorian, Carver High School. by *Cooper B, *Towns.

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House Joint Resolution No. 1088 -- Memorials, Academic Achievement - Stephanie Jordan, Salutatorian, Mitchell High School. by *Cooper B, *Towns.

House Joint Resolution No. 1089 -- Memorials, Academic Achievement - Alexis Harper, Valedictorian, Mitchell High School. by *Cooper B, *Towns.

House Joint Resolution No. 1090 -- Memorials, Academic Achievement - Kelsey Anne Perry, Salutatorian, Millington Central High School. by *Cooper B, *Towns.

House Joint Resolution No. 1091 -- Memorials, Academic Achievement - Sara Marie Baltensperger, Valedictorian, Millington Central High School. by *Cooper B, *Towns.

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for April 26, 2012:

House Resolution No. 292 -- Memorials, Recognition - Pierce Moore. by *Moore.

House Resolution No. 293 -- Memorials, Recognition - Savannah Taylor. by *Moore.

House Resolution No. 294 -- Memorials, Recognition - Jackson Taylor. by *Moore.

House Resolution No. 295-- Memorials, Recognition - Isaac Dockery. by *Montgomery.

House Joint Resolution No. 1092 -- Memorials, Death - William Thomas McCarter. by *Swann, *Ramsey.

House Joint Resolution No. 1094 -- Memorials, Academic Achievement - Jada Bowie, Valedictorian, Wooddale High School. by *Camper.

House Joint Resolution No. 1095 -- Memorials, Academic Achievement - Courtney Bratcher, Salutatorian, Oakhaven High School. by *Camper.

House Joint Resolution No. 1096 -- Memorials, Academic Achievement - Kimberly McGowan, Salutatorian, Wooddale High School. by *Camper.

House Joint Resolution No. 1097 -- Memorials, Academic Achievement - Leonides Flores, Valedictorian, Oakhaven High School. by *Camper.

House Joint Resolution No. 1098 -- Memorials, Recognition - Southside High Class of 75 Reunion, Labor Day Weekend, 2012. by *Camper.

House Joint Resolution No. 1099 -- Memorials, Academic Achievement - Houston Noah Daniel, Salutatorian, Dickson County High School. by *Shepard.

House Joint Resolution No. 1100 -- Memorials, Academic Achievement - Dalton Turner, Valedictorian, Dickson County High School. by *Shepard.

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House Joint Resolution No. 1101 -- Memorials, Interns - Christopher Kandt. by *Sparks.

House Joint Resolution No. 1102 -- Memorials, Interns - Amanda Daniel. by *Brooks H.

House Joint Resolution No. 1103 -- Memorials, Recognition - Logan Chase Gann, Every Drop Counts Scholarship. by *Weaver.

House Joint Resolution No. 1104 -- Memorials, Recognition - Sterling Francis, Jr., Every Drop Counts Scholarship. by *Weaver.

House Joint Resolution No. 1105 -- Memorials, Recognition - Jessica Lancaster, Every Drop Counts Scholarship. by *Weaver.

House Joint Resolution No. 1106 -- Memorials, Recognition - Hannah Peek, Every Drop Counts Scholarship. by *Weaver.

House Joint Resolution No. 1107 -- Memorials, Recognition - Natalie Newbill, Miss Black Tennessee. by *Gilmore.

House Joint Resolution No. 1108 -- Memorials, Interns - Melinda Ann Smartt. by *Hawk.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar No. 2 for April 25, 2012:

Senate Joint Resolution No. 911 -- Memorials, Retirement - Susan Cooper, Commissioner of the Department of Health. by *Johnson.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

Senate Bill No. 3808 -- Sumner County - As introduced, subject to local approval, creates the "Financial Management Modernization System of the County of Sumner, Tennessee of 2012"; repeals Chapter 113 of the Private Acts of 2002, in certain circumstances. by *Roberts. (HB3879 by *Maggart, *McDonald)

REPORTS FROM STANDING COMMITTEES

The committees that met on **April 25, 2012**, reported the following:

FINANCE, WAYS AND MEANS COMMITTEE

The Finance, Ways and Means Committee recommended for passage: House Bill(s) No(s). 3836, 3837 and Senate Joint Resolution(s) No(s). 222, also House Bill(s) No(s). 3839 and 3835 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

CONSENT CALENDAR

House Bill No. 3882 -- Bluff City - As introduced, subject to local approval, revises method for filling vacancies on board of mayor and aldermen; allows for recall elections of mayor and aldermen. - Amends Chapter 24 of the Private Acts of 1997; as amended. by *Campbell.

House Bill No. 3877 -- Spencer - As introduced, subject to local approval, moves the city election to coincide with the November general election beginning in 2014; extends the four-year terms of office of officials elected in the May 2009 election to the first Tuesday in November 2014, and the terms of officials elected in the May 2011 election to the first Tuesday in November 2016. - Amends Chapter 179 of the Private Acts of 1923; as amended. by *Harmon.

***Senate Joint Resolution No. 360** -- Naming and Designating - "James "Moe" Haralson Health and Physical Fitness Center," gymnasium at Tennessee School for the Blind. by *Yager, *Ford.

***House Joint Resolution No. 791** -- Highway Signs - Cannon County Veterans Memorial Bridge, S.R. 1 in Cannon County. by *Pody.

***House Joint Resolution No. 872** -- Highway Signs - "Razor John "Doc" Campbell Memorial Bridge," S.R. 91 in Carter County. by *Williams K.

***Senate Joint Resolution No. 629** -- Highway Signs - "Spc. Jeremy Lynn Brown Memorial Bridge," S.R. 56 in McMinnville, Warren County. by *Stewart.

***House Joint Resolution No. 863** -- Highway Signs - "Sheriff Dorris Weakley Memorial Bridge," S.R. 12 in Cheatham County. by *Johnson P.

House Resolution No. 282 -- Memorials, Public Service - Judge Andy Tucker. by *Cobb.

House Joint Resolution No. 1056 -- Memorials, Death - Sheril Elliott. by *Halford, *Hensley.

House Joint Resolution No. 1057 -- Memorials, Academic Achievement - Julian Chambers, Valedictorian, Frayser High School. by *Miller L.

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House Joint Resolution No. 1058 -- Memorials, Recognition - AKA Day on the Hill 2012. by *Cooper B, *Brown.

House Joint Resolution No. 1059 -- Memorials, Recognition - James Cole Overholt. by *Faison.

House Joint Resolution No. 1060 -- Memorials, Recognition - Pat Summitt. by *Faison, *Haynes, *Matlock, *Dunn, *Roach, *Ford, *Rich.

House Joint Resolution No. 1062 -- Memorials, Academic Achievement - Nathaniel Armstrong, Salutatorian, Hickman County High School. by *Shepard.

House Joint Resolution No. 1063 -- Memorials, Academic Achievement - Clea Harrelson, Valedictorian, Hickman County High School. by *Shepard.

House Joint Resolution No. 1064 -- Memorials, Death - Dr. Jaime Virata Mangubat. by *McDaniel.

House Joint Resolution No. 1065 -- Memorials, Recognition - John J. Spittler, Four Chaplains Legion of Honor Award. by *Floyd.

House Joint Resolution No. 1066 -- Memorials, Personal Occasion - Mae Yarbrough Henning, 100 birthday. by *Fitzhugh.

Rep. Floyd moved that all members voting aye on House Joint Resolution No. 1065 be added as co-prime sponsors, with the Hamilton County delegation listed first, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Holt, Hurley, Pody, Ragan and Womick.

Rep. K. Williams moved that all members voting aye on House Joint Resolution No. 872 be added as co-prime sponsors, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Holt, Hurley, Pody, Ragan and Womick.

Rep. Gotto moved that the Davidson County delegation be added as co-prime sponsors on Senate Joint Resolution No. 360, which motion prevailed.

Rep. L. Miller moved that all members voting aye on House Joint Resolution No. 1057 be added as co-prime sponsors, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Holt, Hurley, Pody, Ragan and Womick.

Rep. Faison moved that all members voting aye on House Joint Resolution No. 1060 be added as co-prime sponsors, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Holt, Hurley, Pody, Ragan and Womick.

Pursuant to **Rule No. 50**, Rep. Dunn moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate

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Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes 99
Noes 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 99

A motion to reconsider was tabled.

REGULAR CALENDAR

***House Bill No. 3576** -- Education, Higher - As introduced, prohibits certain colleges and universities in this state from denying recognition, privileges or benefits to a student organization or group on the basis of religious content of the organization's or group's speech or the manner in which the organization or group determines its organizational affairs. - Amends TCA Title 49. by *Pody, *Powers. (SB3597 by *Beavers, *Gresham, *Roberts)

Rep. Pody moved that House Bill No. 3576 be passed on third and final consideration.

Rep. Montgomery moved adoption of Education Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 3576 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 7, Part 1, is amended by adding the following language as a new section:

49-7-150.

(a) No state higher education institution that grants recognition to any student organization shall discriminate against, deny recognition to, or deny equal access to programs, finding, or facilities for any student organization on the basis of the religious content of the organization's speech including, but not limited to worship.

(b) A religious student organization may determine that the organization's religious mission requires that only persons professing the

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faith of the group and comporting themselves in conformity with it qualify to serve as members or leaders.

(c) No state higher education institution shall deny recognition or any privilege or benefit to a student organization or group that exercises its rights pursuant to subsection (b).

(d) As used in this section, "state higher education institution" means any higher education institution governed by chapter 8 or 9 of this title.

SECTION 2. This act shall take effect July 1, 2012, the public welfare requiring it.

Rep. Pody requested that House Bill No. 3576 be moved to the heel of the Calendar.

***House Bill No. 1013** -- Regional Authorities and Special Districts - As introduced, terminates the Four Lake regional industrial development authority, June 30, 2011. - Amends TCA Title 4, Chapter 29, Part 2 and Title 64, Chapter 5, Part 2. by *Pody. (SB1715 by *Beavers)

Rep. Pody moved that House Bill No. 1013 be passed on third and final consideration.

Rep. Ramsey moved that State and Local Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Harrison moved adoption of Finance, Ways and Means Committee Amendment No. 1, as House Amendment No. 2, as follows:

Amendment No. 2

AMEND House Bill No. 1013 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 64-5-202, is amended by deleting the section in its entirety and by substituting instead the following:

64-5-202. The authority shall be governed by a board of directors, referred to as the "board" in this part. The board shall make policy, which shall be implemented by the executive director, if such position is established.

SECTION 2. Tennessee Code Annotated, Section 64-5-203, is amended by deleting subsection (a) in its entirety and by substituting instead the following language:

(a)

(1) Effective July 1, 2012, the membership of the board shall be as follows:

(A)

(1) The county mayor of each county in the region shall be an ex officio voting member of the board; the term of office on the board of the county mayor shall be coextensive with the term of office as county mayor; or

(2) In lieu of serving as a member of the board, the county mayor is authorized to appoint a person to serve in his stead; the term of office of such appointed person shall be coextensive with the term of office of the county mayor making the appointment;

(B) One (1) person who resides within the region shall be appointed by the speaker of the house of representatives, to be appointed for a term of two (2) years; and

(C) One (1) person who resides within the region shall be appointed by the speaker of the senate, to be appointed for a term of two (2) years.

(2) The board in existence on the effective date of this act shall terminate at midnight June 30, 2012.

SECTION 3. Tennessee Code Annotated, Section 64-5-204, is amended by deleting the section in its entirety and by substituting instead the following:

64-5-204. The board, at its organizational meeting and annually thereafter, shall elect one (1) of its members to the office of chair, one (1) of its members to the office of vice chair and one (1) of its members to the office of secretary-treasurer.

SECTION 4. Tennessee Code Annotated, Section 64-5-205, is amended by deleting the section in its entirety and by substituting instead the following:

64-5-205. Vacancies on the board shall be filled according to the method of original election or appointment.

SECTION 5. Tennessee Code Annotated, Section 64-5-207, is amended by deleting the section in its entirety.

SECTION 6. For purposes of making appointments to the board, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect July 1, 2012, the public welfare requiring it.

On motion, Finance, Ways and Means Committee Amendment No. 1, as House Amendment No. 2, was adopted.

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Rep. Pody moved that **House Bill No. 1013**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 85
Noes..... 9

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks K, Butt, Campbell, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Niceley, Odom, Parkinson, Pody, Powers, Ragan, Ramsey, Rich, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Swann, Tidwell, Tindell, Todd, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 85

Representatives voting no were: Brown, Favors, Hardaway, Jones, Naifeh, Pruitt, Sontany, Stewart, Towns -- 9

A motion to reconsider was tabled.

House Bill No. 2799 -- Motor Vehicles - As introduced, inserts an omitted reference to the 10-day period within which an owner of a garage, trailer park or lot must report abandoned vehicles; increases, from 14 to 20 days, the grace period for certain members of the military to renew registrations upon returning to Tennessee after being stationed overseas. - Amends TCA Title 55. by *Johnson P, *Pody. (*SB2617 by *Tracy, *Beavers)

On motion, House Bill No. 2799 was made to conform with **Senate Bill No. 2617**; the Senate Bill was substituted for the House Bill.

Rep. Pody moved that Senate Bill No. 2617 be passed on third and final consideration.

Rep. P. Johnson moved that Transportation Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. P. Johnson moved adoption of Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 2617 By adding the following as a new section to precede the effective date section:

SECTION _____. Tennessee Code Annotated, Section 55-4-349, is amended by adding the following as new subsection (d):

(d) Notwithstanding § 55-4-201(h)(1), the Tennessee's veterans new specialty earmarked license plates authorized by this section shall have one (1) year from the effective date of this act or until July 1, 2013, whichever is later, to meet applicable initial issuance requirements of § 55-4-201(h)(1).

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On motion, Amendment No. 2 was adopted.

Rep. Pody moved that **Senate Bill No. 2617**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 98
Noes 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 98

A motion to reconsider was tabled.

***House Bill No. 1075** -- County Government - As introduced, authorizes creation of design review commissions by county legislative bodies. - Amends TCA Title 5, Chapter 1, Part 1. by *Maggart, *McCormick, *Ramsey. (SB1716 by *Yager)

Rep. Maggart moved that House Bill No. 1075 be passed on third and final consideration.

Rep. Ramsey moved adoption of State and Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1075 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 5, Chapter 1, Part 1, is amended by adding the following as a new and appropriately designated section:

(a)

(1) It is the intent of the general assembly that all appropriate actions should be taken to authorize the local legislative bodies in counties which have county-wide zoning to protect the manner in which growth and construction of buildings are regulated in areas of historical significance to a locality, the county and the state.

(2) The county legislative body of a county which has enacted countywide zoning may create a design review commission, referred to in this section as "DRC", having the authority to develop general guidelines

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for the exterior appearance of and entrance to properties which are located in an area of historical significance to a locality, the county and the state. The only properties to which this section applies located in such area must be:

(A) Nonresidential property; or

(B) Multiple family residential property.

(3) The county legislative body may designate the planning commission as the design review commission.

(4) When developing the guidelines for the exterior appearance of and entrance to properties identified in subdivision (2), the county legislative body or planning commission must obtain input from citizens living within the area as well as from persons have an interest in and knowledge of preservation of historic buildings.

(5) When the county creates a separate design review commission, the county mayor or county executive or metropolitan mayor shall appoint the members of the DRC from residents of the county and shall strive to ensure that the membership is representative of the county as a whole, including, if possible, members with either architectural or engineering knowledge, or any other person having experience in nonresidential building.

(b) If a municipality within a county has a planning region outside of its current corporate limits, and the municipality has a DRC that has adopted guidelines, then the county's DRC shall adopt the same guidelines as the municipality for that area within the municipality's planning region in so far as such guidelines meet the requirements of subsection (a).

(c) The county DRC guidelines adopted pursuant to subsection (a) shall not apply within the corporate limits of any municipality unless the municipality adopts such county's DRC guidelines.

(d) This section shall not apply to any agricultural buildings in the unincorporated area of the county.

(e) The county DRC guidelines adopted pursuant to subsection (a) shall be subject to approval by the county legislative body. Once approved, county building permits issued pursuant to § 13- 7-110 or similar law, shall be withheld for noncompliance with DRC guidelines.

(f) Any property owner affected by the guidelines or the withholding of a building permit due to noncompliance with such adopted DRC guidelines, may appeal a decision of the DRC or the county building commissioner or similar official to the county board of zoning appeals created pursuant to § 13-7-106, or similar law, for a final decision.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, State and Local Government Committee Amendment No. 1 was adopted.

Rep. Harrison moved adoption of Finance, Ways and Means Committee Amendment No. 1, as House Amendment No. 2, as follows:

Amendment No. 2

AMEND House Bill No. 1075 By deleting subdivisions (1) and (2) from subsection (a) of Section 1, as amended, and by substituting instead the following language:

(1) It is the intent of the general assembly that all appropriate actions should be taken to authorize the local legislative body in any county having a population of not less than one hundred sixty thousand six hundred (160,600) nor more than one hundred sixty thousand seven hundred (160,700) according to the 2010 federal census or any subsequent federal census which has county-wide zoning to protect the manner in which growth and construction of buildings are regulated in areas of historical significance to a locality, the county and the state.

(2) The county legislative body of a county to which subdivision (1) applies may create a design review commission, referred to in this section as "DRC", having the authority to develop general guidelines for the exterior appearance of and entrance to properties which are located in an area of historical significance to a locality, the county and the state. The only properties to which this section applies located in such area must be:

(A) Nonresidential property; or

(B) Multiple family residential property.

On motion, Finance, Ways and Means Committee Amendment No. 1, as House Amendment No. 2, was adopted.

Rep. Maggart moved that **House Bill No. 1075**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 99
Noes 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley,

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Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 99

A motion to reconsider was tabled.

***House Bill No. 3471** -- Election Laws - As introduced, authorizes recognized minor party the option to nominate all offices by primary or by rules of the party; if they nominate by primary election, the petition for recognition must be filed by the qualifying deadline; if they nominate by any other means, the petition for recognition must be filed 90 days prior to the general election. - Amends TCA Title 2. by *Brooks H. (SB3700 by *Norris, *Ketron)

On motion, House Bill No. 3471 was made to conform with **Senate Bill No. 3700**; the Senate Bill was substituted for the House Bill.

Rep. H. Brooks moved that Senate Bill No. 3700 be passed on third and final consideration.

Rep. Ramsey moved that State and Local Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. H. Brooks moved that **Senate Bill No. 3700** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	98
Noes	1

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 98

Representatives voting no were: Harmon -- 1

A motion to reconsider was tabled.

***House Bill No. 2566** -- Education - As introduced, changes from September 30 to July 31 the date by which children must reach age four in order to enter pre-K or age five to enter kindergarten; permits a child to enter kindergarten at age four, if the parent requests entrance and the child is sufficiently mature. - Amends TCA Title 49, Chapter 6. by *Casada. (SB2630 by *Johnson)

Rep. Casada moved that House Bill No. 2566 be passed on third and final consideration.

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Rep. Montgomery moved that Education Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Sargent moved that Finance, Ways and Means Committee Amendment No. 1, as House Amendment No. 2, be withdrawn, which motion prevailed.

Rep. Casada moved adoption of Amendment No. 3 as follows:

Amendment No. 3

AMEND House Bill No. 2566 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-6-201(b)(3), is amended by deleting the subdivision in its entirety and by substituting instead the following:

(3) Children entering kindergarten shall be five (5) years of age on or before August 31 for the 2013-2014 school year and on or before August 15 for all school years thereafter;

SECTION 2. Tennessee Code Annotated, Section 49-6-3001(a), is amended by deleting the subsection in its entirety and by substituting instead the following:

(a) The public schools shall be free to all persons residing within the state who are above five (5) years of age or who will become five (5) years of age on or before August 31 for the 2013-2014 school year and on or before August 15 for all school years thereafter;

SECTION 3. Tennessee Code Annotated, Section 49-6-3001(b)(1), is amended by deleting the subdivision in its entirety and by substituting instead the following:

(b)

(1) Any child residing within the state who is five (5) years of age or who will become five (5) years of age on or before August 31 for the 2013-2014 school year and on or before August 15 for all school years thereafter may enter at the beginning of the term the public school designated by the local board of education having appropriate jurisdiction; provided, that the child enters within thirty (30) days after the opening day of the term.

SECTION 4. Tennessee Code Annotated, Section 49-6-3001(b)(2), is amended by designating the existing language as subdivision (A) and by adding the following language as a new subdivision (B):

(B) Notwithstanding subdivision (b)(2)(A), if the director of schools finds through evaluation and testing, at the request of the parent or legal guardian, that a child who is five (5) years of age on or before September

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30 is sufficiently mature emotionally and academically, then the child may be permitted to enter kindergarten.

SECTION 5. Tennessee Code Annotated, Section 49-6-3001, is amended by adding the following language as a new subsection (d):

(d) Notwithstanding any other law to the contrary, children who participate in an LEA-administered pre-kindergarten program during the 2012-2013 or 2013-2014 school years may enter kindergarten in the 2013-2014 or 2014-2015 school years respectively,

SECTION 6. This act shall take effect October 1, 2012, the public welfare requiring it.

Rep. Fitzhugh moved the previous question on Amendment No. 3, which motion prevailed by the following vote:

Ayes	70
Noes.....	18
Present and not voting.....	1

Representatives voting aye were: Alexander, Brooks K, Brown, Butt, Campbell, Carr, Casada, Cobb, Coley, Curtiss, Dean, Dunn, Elam, Eldridge, Evans, Faison, Fitzhugh, Floyd, Ford, Forgety, Gotto, Halford, Hall, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Keisling, Lollar, Lundberg, Maggart, Marsh, Matheny, McCormick, McDaniel, McManus, Miller D, Montgomery, Niceley, Pody, Powers, Ragan, Ramsey, Rich, Roach, Sanderson, Sargent, Sexton, Shaw, Shipley, Sparks, Swann, Tindell, Todd, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 70

Representatives voting no were: Armstrong, Camper, Cooper, Favors, Gilmore, Hardaway, Kernell, McDonald, Miller L, Moore, Naifeh, Parkinson, Richardson, Shepard, Sontany, Stewart, Towns, Turner J -- 18

Representatives present and not voting were: Bass -- 1

On motion, Amendment No. 3 was adopted.

Rep. K. Williams moved the previous question, which motion prevailed.

Rep. Casada moved that **House Bill No. 2566**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	68
Noes.....	30

Representatives voting aye were: Alexander, Bass, Brooks H, Brooks K, Butt, Campbell, Carr, Casada, Cobb, Coley, Curtiss, Dean, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Floyd, Ford, Forgety, Gotto, Halford, Hall, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Keisling, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Montgomery, Niceley, Pody, Powers, Ragan,

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Ramsey, Rich, Roach, Sargent, Sexton, Shipley, Sparks, Swann, Tidwell, Tindell, Todd, Watson, Weaver, White, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 68

Representatives voting no were: Armstrong, Brown, Camper, Cooper, DeBerry J, DeBerry L, Favors, Fitzhugh, Gilmore, Hardaway, Jones, Kernell, McDonald, Miller L, Moore, Naifeh, Odom, Parkinson, Pruitt, Richardson, Sanderson, Shaw, Shepard, Sontany, Stewart, Towns, Turner J, Turner M, Williams K, Windle -- 30

A motion to reconsider was tabled.

RECOGNITION IN THE WELL

Representative Sargent, joined by Representatives Casada, Fitzhugh and McCormick, was recognized in the Well in order to honor Commissioner Susan Cooper's service to the State of Tennessee as Commissioner of the Tennessee Department of Health.

REGULAR CALENDAR, CONTINUED

***House Bill No. 2776** -- Wildlife Resources Commission - As introduced, rewrites provisions governing board for the conservation of game, fish and wildlife; replaces wildlife resources commission with wildlife conservation commission. - Amends TCA Title 4; Title 11; Title 43; Title 44; Title 67; Title 69 and Title 70. by *Matheny, *Harwell, *McCormick, *Eldridge. (SB3590 by *Faulk)

Rep. Matheny moved that House Bill No. 2776 be passed on third and final consideration.

Rep. Lollar moved that Conservation and Environment Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Lollar moved adoption of Conservation and Environment Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 2776 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 70, Chapter 1, Part 2, is amended by deleting the part in its entirety and by substituting instead the following:

70-1-201.

(a) An independent and separate administrative board of conservation for game, fish and wildlife of the state is created, to be known and referred to as the Tennessee fish and wildlife commission, hereinafter referred to as the "fish and wildlife commission" or the "commission", to consist of thirteen (13) citizens of this state, which

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citizens shall be well informed on the subject of the conservation of game animals, birds and fish in this state. Nine (9) of these citizens shall be appointed by the governor, two (2) shall be appointed by the speaker of the senate, and two (2) shall be appointed by the speaker of the house of representatives, each to be appointed within the period provided in this section. In making appointments to the fish and wildlife commission, the governor and the speakers shall strive to ensure that at least one (1) person serving on the commission is sixty (60) years of age or older, at least one (1) person serving on the commission is a member of a racial minority, and at least two (2) persons serving on the commission are female.

(b)

(1) Except as otherwise provided in this subsection (b), each member shall be confirmed by the conservation and environment committee of the house of representatives and the senate energy and environment committee and by joint resolution of the general assembly prior to beginning a term of office.

(2) If the general assembly is not in session at the time a member is appointed to fill a vacancy resulting from the expiration of a term, the member of the commission whose term has expired shall serve until a new appointee is confirmed as provided in subdivision (b)(1).

(3) If the general assembly is not in session at the time a member is appointed to fill a vacancy not resulting from the expiration of a term, the new appointee shall serve for the term appointed unless such appointment is not confirmed within sixty (60) calendar days after the general assembly next convenes in regular session following such appointment.

(4) If the general assembly is not in session when initial appointments are made, all initial appointments shall serve the terms prescribed pursuant to subdivision (c)(1), unless such appointments are not confirmed within sixty (60) calendar days after the general assembly next convenes in regular session following such appointments.

(c)

(1) The entire membership of the wildlife resources commission shall be vacated and shall be replaced by new appointments made to the fish and wildlife commission pursuant to this subsection (c). In order to stagger the terms of the newly appointed commission members, initial appointments shall be made as follows:

(A) Three (3) of the governor's initial appointments, one (1) from each grand division of the state as provided in

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§ 70-1-204(a), and one (1) initial appointment by each speaker shall be made for a term of two (2) years and eight (8) months;

(B) Three (3) of the governor's initial appointments, one (1) from each grand division of the state as provided in § 70-1-204(a), and one (1) initial appointment by each speaker shall be made for a term of four (4) years and eight (8) months; and

(C) Three (3) of the governor's initial appointments, one (1) from each grand division of the state as provided in § 70-1-204(a), shall be made for a term of six (6) years and eight months.

(2) For purpose of calculating terms, the initial term of office of each commission member shall begin on July 1, 2012.

(3) At the conclusion of the initial terms, each regular term of a commission member appointed by a speaker shall be four (4) years and each regular term of a commission member appointed by the governor shall be six (6) years. For purpose of calculating regular terms, each term shall begin on March 1 and shall expire on the last day of February.

(4) No commission member shall serve consecutive terms. For the purposes of this subdivision (c)(4), a commission member shall be considered as having served a term if such member has served more than two (2) years of an initial term, regular term or unexpired term on the fish and wildlife commission.

(5) A vacancy on the commission shall be filled by the appointing authority making the original appointment for the remainder of any unexpired term or, if a term has expired, for a regular term.

70-1-202.

(a) The members of the commission shall receive no compensation for their services as members of such commission, except that they shall be paid their actual and necessary traveling expenses for six (6) regular meetings each year and not more than six (6) called meetings during any one (1) year. They shall also be paid their actual and necessary travel expenses for attending to other commission business approved by the chair.

(b) All reimbursement for travel expenses shall be in accordance with the comprehensive travel regulations as promulgated by the department of finance and administration and approved by the attorney general and reporter.

70-1-203.

(a) The commission shall elect a chair, a vice chair and a secretary; the secretary may or may not be a member of the commission. These officers shall be elected for a period of one (1) year. After organization, the commission shall hold six (6) regular meetings and may hold as many as six (6) special meetings in any one (1) year at such times and places as the commission shall elect, for which their expenses shall be paid as provided in § 70-1-202.

(b) Seven (7) members of the commission shall constitute a quorum.

(c) The governor, the commissioner of environment and conservation and the commissioner of agriculture, or their designees, shall serve as ex officio, nonvoting members of the commission and shall not be included in calculation of a quorum.

70-1-204.

(a) Appointments to be made by the governor shall be made from districts of the grand divisions of the state in which the vacancy occurred, and the boundaries of the nine (9) districts shall remain the same as the boundaries that were in effect on February 9, 1959.

(b) Appointments to be made by the speaker of the senate and speaker of the house of representatives shall be made from the grand divisions of this state as described in title 4, chapter 1, part 2. No more than one (1) member appointed by the speaker of the senate shall be from the same grand division. No more than one (1) member appointed by the speaker of the house shall be from the same grand division. The speakers shall strive to ensure each grand division is represented in their appointments. No more than one (1) speaker appointed member shall be from any one (1) county.

(c) All appointments shall be made from persons having or possessing the qualifications specified by § 70-1-201, which qualifications shall be determined by consultation with known and recognized leaders in the field of conservation in this state. At least one (1) person shall have or possess the qualifications specified by § 67-6-207(e), which qualifications shall be determined by consultation with known and recognized leaders in the field of agriculture in this state. The governor shall strive to ensure that the concerns of the typical hunter and angler are represented in appointments made to the commission.

70-1-205.

(a) The governor may remove a governor-appointed commission member for inefficiency, neglect of duty, or misconduct in office, after first delivering to the commission member a copy of the charges and affording the commission member an opportunity of being publicly heard in person

or by counsel to defend against the charges, upon not less than ten (10) business days' notice.

(b) If such commission member is removed, the governor shall file in the office of the secretary of state a complete statement of all charges made against the commission member and the governor's findings on the charges, together with a complete record of the proceedings.

(c) The governor shall fill vacancies caused by removal in accordance with § 70-1-201(c)(5).

(d) Any member of the commission who misses four (4) regular or special meetings of the commission during any year of the commission member's term of office ipso facto vacates the member's office as a member of the commission. Such vacancies shall be filled in accordance with § 70-1-201(c)(5). This subsection (d) shall not apply to ex officio members.

70-1-206.

(a) The fish and wildlife commission is directed and authorized to perform the following duties and functions:

(1) Appoint and dismiss the executive director;

(2) Approve the budget pursuant to § 70-1-306;

(3) Promulgate necessary rules, regulations, and proclamations as required under this title and title 69, chapter 9. The commission is also authorized to promulgate rules and regulations to permit a licensed trapper to release small game animals in counties contiguous to the counties where the animals were trapped;

(4) Establish objectives within the state policy that will enable the wildlife resources agency to develop, manage and maintain sound programs of hunting, fishing, trapping and other wildlife related outdoor recreational activities;

(5) Establish the salary of the executive director of the wildlife resources agency;

(6) Promulgate rules and regulations for the administration of the Reelfoot Lake natural area, as provided in title 11, chapter 14, part 1; and

(7) Promulgate rules and regulations to adjust fees for licenses and permits in this title and to establish new hunting, fishing and trapping licenses and permits as deemed appropriate along with necessary fees. Adjusting or establishing fees shall be

in such amounts as may be necessary to administer the wildlife laws; provided, that the percentage increase in total revenue from a license package containing one (1) or more licenses or permits, or both, shall not exceed the percent of increase in the average consumer price index, all items-city average, as published by the United States department of labor, bureau of labor statistics, on the first day of March 1990, or, in the case of any permit, license or permit/license package fee adjustment after the initial adjustment under this subdivision (a)(7), the difference in the average consumer price index, all items-city average between the dates of one (1) adjustment and any subsequent adjustment; provided further, however, that individual fee adjustment amounts may be rounded up to the next dollar amount. All such fees, and any adjustments to the fees, shall be deposited in the wildlife resources fund and shall be expended solely for the administration and operation of the agency's programs and responsibilities authorized pursuant to this chapter. Further, the commission shall report actions taken on permits, licenses, and fees to be assessed following the promulgation of the proposed rules and regulations to the senate energy and environment committee and to the conservation and environment committee of the house of representatives.

(b) The fish and wildlife commission shall become knowledgeable in and familiar with the special needs of handicapped and disabled veterans.

70-1-207.

(a) The fish and wildlife commission is authorized to develop rules and regulations for corporate sponsorship on appropriate agency motor vehicles and vessels; provided, however, that no corporate sponsorship shall be placed on agency law enforcement motor vehicles or vessels. Such rules and regulations may include, but are not limited to, signage placement, safety concerns and prohibited practices.

(b) Such commercial sponsorship shall not include, identify or promote:

(1) Alcohol or tobacco products;

(2) Adult-oriented establishments, as defined in § 7-51-1102 or § 7-51-1401;

(3) Political candidacies, political issue advocacy, or political campaign advertising, as prohibited in § 2-19-144; or

(4) Any unlawful conduct or activities.

(c) The department shall prefer sponsorship by organizations that are wildlife or boating related.

(d)

(1) The sponsorship message shall include only the name or logo of the sponsor or both.

(2) The sponsorship message may only be located on the back of the vehicle or vessel.

(3) The logo of the sponsor shall not exceed four hundred square inches (400 sq. in.) in size, and the lettering identifying the sponsor shall not exceed eight inches (8") in height.

70-1-208. The fish and wildlife commission created by this part is the successor to the wildlife resources commission. All rules, procedures, records, reports, functions and duties carried out by the prior commission is hereby transferred to the successor entity.

SECTION 2. Tennessee Code Annotated, Section 4-29-235(a), is amended by adding the following language as a new subdivision:

(_) Tennessee fish and wildlife commission, created by § 70-1-201;

SECTION 3. Tennessee Code Annotated, Section 4-29-232(a), is amended by deleting subdivision (58).

SECTION 4. Tennessee Code Annotated, Section 11-14-116, is amended by deleting the language "wildlife resources commission" and by substituting instead the language "fish and wildlife commission" wherever such language appears.

SECTION 5. Tennessee Code Annotated, Section 43-33-126(a), is amended by deleting the language "wildlife resources commission" and by substituting instead the language "fish and wildlife commission".

SECTION 6. Tennessee Code Annotated, Section 44-17-401, is amended by deleting the language "wildlife resources commission" and by substituting instead the language "fish and wildlife commission".

SECTION 7. Tennessee Code Annotated, Section 67-4-409, is amended by deleting the language "wildlife resources commission" and by substituting instead the language "fish and wildlife commission" wherever such language appears.

SECTION 8. Tennessee Code Annotated, Section 69-9-101, is amended by deleting the language "wildlife resources commission" and by substituting instead the language "fish and wildlife commission".

SECTION 9. Tennessee Code Annotated, Section 69-9-203(c), is amended by deleting the language "wildlife resources commission" and by

substituting instead the language "fish and wildlife commission" wherever such language appears.

SECTION 10. Tennessee Code Annotated, Section 69-9-204(4), is amended by deleting the language "wildlife resources commission" and by substituting instead the language "fish and wildlife commission".

SECTION 11. Tennessee Code Annotated, Section 70-1-101(a), is amended by deleting subdivision (8) in its entirety and by substituting instead the following:

(8) "Commission" means the Tennessee fish and wildlife commission, and "commissioner" means a member of the fish and wildlife commission;

SECTION 12. Tennessee Code Annotated, Section 70-1-104, is amended by deleting the language "wildlife resources commission" and by substituting instead the language "fish and wildlife commission".

SECTION 13. The Tennessee Code Commission is requested to revise appropriate references from the wildlife resources commission to the fish and wildlife commission as sections are amended and volumes are replaced.

SECTION 14. This act shall take effect June 30, 2012, the public welfare requiring it.

On motion, Conservation and Environment Committee Amendment No. 2 was adopted.

Rep. M. Turner moved that Amendment No. 3 be withdrawn, which motion prevailed.

Rep. Matheny moved that **House Bill No. 2776**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes.....	2

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 96

Representatives voting no were: Forgety, Windle -- 2

A motion to reconsider was tabled.

WEDNESDAY, APRIL 25, 2012 – SEVENTY-NINTH LEGISLATIVE DAY UNOFFICIAL VERSION

***House Resolution No. 233** -- Highway Signs - Designates "Bill Harmon Esplanade" in Nashville. by *Johnson P.

Rep. P. Johnson moved that House Resolution No. 233 be reset for the last Regular Calendar, which motion prevailed.

House Bill No. 2568 -- Hospitals and Health Care Facilities - As introduced, requires the board for licensing health care facilities to establish a protocol by rule for hospitals, community health centers and clinics to report drug overdoses by January 1, 2013. - Amends TCA Title 63 and Title 68. by *Dunn. (*SB2416 by *McNally, *Burks)

Rep. Dunn requested that House Bill No. 2568 be moved down 2 places on the Calendar.

House Bill No. 2569 -- Controlled Substances - As introduced, expands responsibility to report under "doctor shopping" laws; permits hospitals access to database for certain purposes and immunizes them from liability; requires photo identification for persons picking up prescriptions; allows federal law enforcement to access database without warrant; requires real-time access for law enforcement and pharmacists; requires pain clinics to be owned by Tennessee doctors or hospitals; penalizes interference with pharmacists' decisions to fill prescriptions; requires methadone clinics to query database. - Amends TCA Title 39, Chapter 17, Part 4; Title 53, Chapter 10, Part 3; Title 53, Chapter 11, Part 3; Section 53-11-402; Title 63, Chapter 1, Part 3; Title 63, Chapter 10, Part 2 and Title 71, Chapter 5, Part 26. by *Dunn. (*SB2407 by *McNally, *Burks, *Overbey, *Yager, *Massey)

Rep. Dunn requested that House Bill No. 2559 be moved down 2 places on the Calendar.

House Bill No. 2574 -- Controlled Substances - As introduced, permits the commissioner of health or certain licensing boards to suspend on an emergency basis the license of a practitioner who is under state or federal indictment involving the sale or dispensing of controlled substances. - Amends TCA Title 63. by *Dunn. (*SB2414 by *McNally)

Rep. Dunn moved that House Bill No. 2574 be passed on third and final consideration.

Rep. Casada moved adoption of Health and Human Resources Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2574 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 63, Chapter 1, Part 1, is amended by adding the following as a new section:

63-1-151.

(a)

(1) Notwithstanding any other provision of this chapter or of chapters 3, 5, 6, 7, 8, 9, or 19 of this title, when a practitioner licensed under any of such chapters is under state or federal indictment in this state for an offense involving the sale or dispensing of controlled substances under state or federal law, the practitioner shall report the indictment to the practitioner's licensing board in writing within seven (7) calendar days of acquiring actual knowledge of the indictment. Such report shall include the jurisdiction in which the indictment is pending, if known, and shall also be accompanied by a copy of the indictment, if the practitioner has one.

(2) A district attorney general and appropriate attorney's for the federal government are strongly encouraged, when appropriate, to promptly notify a practitioner's licensing board when a practitioner covered under subdivision (a)(1) is indicted in this state for an offense involving the sale or dispensing of controlled substances under state or federal law.

(b) The knowing failure of a practitioner to submit the report required in subdivision (a)(1) to the licensing board shall be considered unprofessional, dishonorable or unethical conduct and may be grounds for such licensing board to take disciplinary action against the practitioner's license. The fact an indictment was sealed and the practitioner could not have actual knowledge of its existence excuses the practitioner from discipline based on the failure of the practitioner to submit a report. However, the claim that the practitioner was not aware of the obligation required in subsection (a)(1) may not excuse the practitioner from discipline based on the failure of the practitioner to submit a report.

(c) Upon receiving a report of an indictment pursuant to subsection (a)(1), (a)(2), or from any other source, the practitioner's licensing board, through the board's consultant or other person designated by the board, shall within fifteen (15) calendar days, conduct an expedited review of the practitioner's conduct alleged in the indictment. The purpose of such expedited review shall be to determine if the matter merits an expedited investigation by the board. If so, such a directive shall be given to the department of health's office of investigations. All review activity under this subsection (c) shall be confidential pursuant to the provisions of § 63-1-117(f).

(d) For the purpose of this section, "controlled substances means substances regulated under title 39, chapter 17, part 4, or title 53, chapters 10 and 11, or the federal Controlled Substances Act, 21 U.S.C. § 801, et seq., as controlled substances.

SECTION 2. This act shall take effect July 1, 2012, the public welfare requiring it.

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On motion, Health and Human Resources Committee Amendment No. 1 was adopted.

Rep. Dunn moved that **House Bill No. 2574**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 99
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 99

A motion to reconsider was tabled.

House Bill No. 2568 -- Hospitals and Health Care Facilities - As introduced, requires the board for licensing health care facilities to establish a protocol by rule for hospitals, community health centers and clinics to report drug overdoses by January 1, 2013. - Amends TCA Title 63 and Title 68. by *Dunn. (*SB2416 by *McNally, *Burks)

Further consideration of House Bill No. 2568 previously considered on today's Calendar.

On motion, House Bill No. 2568 was made to conform with **Senate Bill No. 2416**; the Senate Bill was substituted for the House Bill.

Rep. Dunn moved that Senate Bill No. 2416 be passed on third and final consideration.

Rep. Casada moved that Health and Human Resources Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Dunn moved that **Senate Bill No. 2416** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 99
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley,

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Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 99

A motion to reconsider was tabled.

House Bill No. 2569 -- Controlled Substances - As introduced, expands responsibility to report under "doctor shopping" laws; permits hospitals access to database for certain purposes and immunizes them from liability; requires photo identification for persons picking up prescriptions; allows federal law enforcement to access database without warrant; requires real-time access for law enforcement and pharmacists; requires pain clinics to be owned by Tennessee doctors or hospitals; penalizes interference with pharmacists' decisions to fill prescriptions; requires methadone clinics to query database. - Amends TCA Title 39, Chapter 17, Part 4; Title 53, Chapter 10, Part 3; Title 53, Chapter 11, Part 3; Section 53-11-402; Title 63, Chapter 1, Part 3; Title 63, Chapter 10, Part 2 and Title 71, Chapter 5, Part 26. by *Dunn. (*SB2407 by *McNally, *Burks, *Overbey, *Yager, *Massey)

Further consideration of House Bill No. 2569 previously considered on today's Calendar.

On motion, House Bill No. 2569 was made to conform with **Senate Bill No. 2407**; the Senate Bill was substituted for the House Bill.

Rep. Dunn moved that Senate Bill No. 2407 be passed on third and final consideration.

Rep. Casada moved adoption of Health and Human Resources Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 2407 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 53-10-306(a), is amended by adding the following as new subdivision (6) and renumbering accordingly:

(6) A quality improvement committee as defined in Section 68-11-272 of a hospital licensed under Title 68 or Title 33, as part of the committee's confidential and privileged activities under Section 68-11-272(b)(4) with respect to the evaluation, supervision or discipline of a healthcare provider employed by the hospital or any of its affiliates or subsidiaries, who is known or suspected by the hospital's administrator to be prescribing controlled substances for the prescriber's personal use;

SECTION 2. This act shall take effect upon becoming a law, the public welfare

On motion, Health and Human Resources Committee Amendment No. 1 was adopted.

Rep. Dunn moved that **Senate Bill No. 2407**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

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Ayes 99
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 99

A motion to reconsider was tabled.

RECESS MOTION

Rep. McCormick moved that the House stand in recess until 2:00 p.m., today, which motion prevailed.

The hour of 2:00 p.m. having arrived, which had been set for the House to reconvene, and a quorum of the House was not detected.

MOTION TO CONVENE PASSED

Representative Sanderson, pursuant to the House rules, moved that the House convene on Wednesday, April 25, 2012, at 3:00 p.m. The motion by Representative Sanderson was properly seconded. Without objection, the motion for the House to convene on Wednesday, April 25, 2012, at 3:00 p.m. prevailed.

Insofar as there was not a quorum, and a motion had been made and carried by the majority of the members present, Madam Speaker Harwell declared that Wednesday, April 25, 2012, at 3:00 p.m. be the date and time set for the House to convene.

The hour of 3:00 p.m. having arrived, which had been set for the House to reconvene, and a quorum of the House was not detected.

MOTION TO CONVENE PASSED

Representative Curtiss, pursuant to the House rules, moved that the House convene on Wednesday, April 25, 2012, at 4:00 p.m. The motion by Representative Curtiss was properly seconded. Without objection, the motion for the House to convene on Wednesday, April 25, 2012, at 4:00 p.m. prevailed.

Insofar as there was not a quorum, and a motion had been made and carried by the majority of the members present, Mr. Speaker Pro Tempore Matheny declared that Wednesday, April 25, 2012, at 4:00 p.m. be the date and time set for the House to convene.

WEDNESDAY, APRIL 25, 2012 – SEVENTY-NINTH LEGISLATIVE DAY UNOFFICIAL VERSION

The hour of 4:00 p.m. having arrived, which had been set for the House to reconvene, and a quorum of the House was not detected.

MOTION TO CONVENE PASSED

Representative Hill, pursuant to the House rules, moved that the House convene on Wednesday, April 25, 2012, at 5:00 p.m. The motion by Representative Hill was properly seconded. Without objection, the motion for the House to convene on Wednesday, April 25, 2012, at 5:00 p.m. prevailed.

Insofar as there was not a quorum, and a motion had been made and carried by the majority of the members present, Mr. Speaker Pro Tempore Matheny declared that Wednesday, April 25, 2012, at 5:00 p.m. be the date and time set for the House to convene.

The hour of 5:00 p.m. having arrived, which had been set for the House to reconvene, and a quorum of the House was not detected.

MOTION TO CONVENE PASSED

Representative Holt, pursuant to the House rules, moved that the House convene on Wednesday, April 25, 2012, at 6:15 p.m. The motion by Representative Holt was properly seconded. Without objection, the motion for the House to convene on Wednesday, April 25, 2012, at 6:15 p.m. prevailed.

Insofar as there was not a quorum, and a motion had been made and carried by the majority of the members present, Mr. Speaker Pro Tempore Matheny declared that Wednesday, April 25, 2012, at 6:15 p.m. be the date and time set for the House to convene.

RECESS EXPIRED

The recess having expired, the House was called to order by Madam Speaker Harwell.

ROLL CALL DISPENSED WITH

On motion of Rep. McCormick, the roll call was dispensed with.

MOTION TO RESET BILLS

Rep. McCormick moved that all the remaining bills set for today's Calendars be reset for the next available spaces on the next available Calendars on April 26, 2012, which motion prevailed.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 751 Rep(s). L. DeBerry as prime sponsor(s).

House Joint Resolution No. 1068 Rep(s). Evans as prime sponsor(s).

House Joint Resolution No. 1069 Rep(s). Evans as prime sponsor(s).

House Bill No. 101 Rep(s). L. DeBerry as prime sponsor(s).

House Bill No. 1854 Rep(s). Lollar as prime sponsor(s).

House Bill No. 1944 Rep(s). Hardaway, B. Cooper and Parkinson as prime sponsor(s).

House Bill No. 2747 Rep(s). P. Johnson as prime sponsor(s).

House Bill No. 3070 Rep(s). Hardaway as prime sponsor(s).

House Bill No. 3071 Rep(s). Hardaway as prime sponsor(s).

House Bill No. 3141 Rep(s). Hardaway as prime sponsor(s).

House Bill No. 3157 Rep(s). Hardaway as prime sponsor(s).

House Bill No. 3225 Rep(s). Matheny as prime sponsor(s).

House Bill No. 3697 Rep(s). Hardaway as prime sponsor(s).

House Bill No. 3832 Rep(s). Sargent as prime sponsor(s).

House Bill No. 3879 Rep(s). McDonald as prime sponsor(s).

SPONSORS REMOVED

On motion, Rep(s). L. DeBerry was/were removed as sponsor(s) of **House Bill No. 3832**.

**ENGROSSED BILLS
April 25, 2012**

MADAM SPEAKER: The following bill(s) have been examined, engrossed and are ready for transmission to the Senate: House Bill(s) No(s). 1013 and 1075.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**REPORT OF CHIEF ENGROSSING CLERK
April 25, 2012**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolution(s) No(s). 587 and 614; for his action.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**REPORT OF CHIEF ENGROSSING CLERK
April 25, 2012**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolution(s) No(s). 636, 773, 783, 824, 843, 847, 914, 915, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 934, 935, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 948, 949, 950, 951, 952, 954, 955, 956, 957, 958, 959, 961, 962, 963, 964, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 981, 982, 983, 984, 986 and 987; for his action.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
April 25, 2012**

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1959; substituted for Senate Bill(s) on same subject(s) and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
April 25, 2012**

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1171; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
April 25, 2012**

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2982; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
April 25, 2012**

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2994; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**ENGROSSED BILLS
April 25, 2012**

MADAM SPEAKER: The following bill(s) have been examined, engrossed and are ready for transmission to the Senate: House Bill(s) No(s). 3877, 3882; also House Joint Resolution(s) No(s). 791, 844, 863, 872, 933, 1056, 1057, 1058, 1059, 1060, 1062, 1063, 1064, 1065 and 1066.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**ENROLLED BILLS
April 25, 2012**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill(s) No(s). 1959; and find same correctly enrolled and ready for the signatures of the Speakers.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**SIGNED
April 25, 2012**

The Speaker announced that she had signed the following: House Bill(s) No(s). 1959.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**ENGROSSED BILLS
April 25, 2012**

MADAM SPEAKER: The following bill(s) have been examined, engrossed and are ready for transmission to the Senate: House Bill(s) No(s). 2776;

BETTY KAY FRANCIS, Chief Engrossing Clerk

**ENROLLED BILLS
April 25, 2012**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution(s) No(s). 282; and find same correctly enrolled and ready for the signature of the Speaker.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**SIGNED
April 25, 2012**

282. The Speaker announced that she had signed the following: House Resolution(s) No(s).

BETTY KAY FRANCIS, Chief Engrossing Clerk

**ENGROSSED BILLS
April 25, 2012**

MADAM SPEAKER: The following bill(s) have been examined, engrossed and are ready for transmission to the Senate: House Bill(s) No(s). 2566 and 2574.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
April 25, 2012**

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1959; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**REPORT OF CHIEF ENGROSSING CLERK
April 25, 2012**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bill(s) No(s). 1959; for his action.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**SIGNED
April 25, 2012**

The Speaker announced that she had signed the following: Senate Bill(s) No(s). 2591, 2784, 2871, 2912, 3003, 3174, 3217, 3222, 3233, 3269, 3403 and 3751.

**MESSAGE FROM THE SENATE
April 25, 2012**

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1013, 2278, 2286, 2387, 2389, 2506, 2513, 2812, 3051, 3175, 3270 and 3365; substituted for Senate Bill(s) on same subject(s) and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
April 25, 2012**

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 3124; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
April 25, 2012**

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2633; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
April 25, 2012**

MADAM SPEAKER: I am directed to transmit to the House, the Committee on Calendar's Second report on Qualified Annual Events pursuant to Tennessee Charitable Gaming Implementation Law and Article XI, Section 5 of the Constitution of Tennessee. The report was adopted, 29-0-1, and made the action of the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
April 25, 2012**

MADAM SPEAKER: I am directed to transmit to the House, the Committee on Calendar's Third report on Qualified Annual Events pursuant to Tennessee Charitable Gaming Implementation Law and Article XI, Section 5 of the Constitution of Tennessee. The report was adopted, 29-0-3, and made the action of the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
April 25, 2012**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1493, 1738, 2129, 2253, 2292, 2580, 2701, 2809, 2890, 2895, 2923 and 2929; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Bill No. 1493 -- Alcoholic Beverage Commission - As introduced, removes annual compensation for members of the commission; allows commission to assess costs for administrative hearings. - Amends TCA Title 57. by *Marrero. (*HB1916 by *Turner M, *Stewart)

WEDNESDAY, APRIL 25, 2012 – SEVENTY-NINTH LEGISLATIVE DAY UNOFFICIAL VERSION

Senate Bill No. 1738 -- Tobacco, Tobacco Products - As introduced, deletes the requirement that the commissioner of revenue disclose information to the attorney general relevant to enforcement of the Tobacco Manufacturers' Escrow Fund Act of 1999; removes authority for attorney general to disclose such information in the course of litigation. - Amends TCA Title 39; Title 43 and Title 67. by *Johnson. (*HB1054 by *McDaniel)

***Senate Bill No. 2129** -- Employees, Employers - As introduced, enacts the "Tennessee Works Act of 2012." - Amends TCA Title 50, Chapter 7. by *Berke, *Finney L, *Stewart, *Kyle, *Beavers, *Crowe, *Gresham, *Ketron, *Massey, *Norris, *Overbey, *Southerland, *Tracy, *Watson, *Marrero, *Harper, *Burks, *Faulk, *Herron, *Yager. (HB2309 by *Fitzhugh, *Turner M, *Moore, *Harmon, *Miller L, *Naifeh, *Shaw, *Gilmore, *Shepard, *McDonald, *Jones S, *Richardson, *Turner J, *Kernell, *Hardaway, *Parkinson, *Favors, *DeBerry L, *Pitts, *Cooper B, *Brown, *Sontany, *Camper)

Senate Bill No. 2253 -- Drugs, Prescription - As introduced, enacts the "Tennessee Prescription Safety Act of 2012." - Amends TCA Title 53, Chapter 10, Part 3; Title 53, Chapter 11, Part 3; Title 53, Chapter 11, Part 4 and Title 63, Chapter 1, Part 3. by *Norris, *Yager, *Crowe, *Burks, *Herron, *Massey, *Overbey. (*HB2391 by *McCormick, *Matheny)

***Senate Bill No. 2292** -- Financial Responsibility Law - As introduced, allows law enforcement and county clerks to electronically verify insurance status of any vehicle; provides that a valid insurance coverage indicator on the vehicle's electronic record shall be acceptable evidence of insurance in lieu of an officer requesting other types of evidence; prohibits issuance or renewal of title or registration unless insurance coverage is electronically verified. - Amends TCA Title 55, Chapter 12; Title 55, Chapter 3; Title 55, Chapter 4 and Title 56. by *Watson. (HB2439 by *Dean, *Hurley)

Senate Bill No. 2580 -- Welfare - As introduced, requires applicants for TANF benefits to undergo a drug test before receiving such benefits; restricts TANF benefits for positive drug test results under certain circumstances. - Amends TCA Title 4, Chapter 3, Part 12; Title 4, Chapter 3, Part 18 and Title 71. by *Campfield, *Ramsey, *Tracy, *Bell. (*HB2725 by *Hurley, *Evans, *Johnson C, *Sexton, *Hensley, *Hawk, *Hall, *Brooks H, *Sparks, *Brooks K, *Ramsey, *Alexander, *Matheny, *Eldridge, *Williams R, *White, *Halford, *Casada, *McCormick, *Coley, *Campbell, *Matlock)

***Senate Bill No. 2701** -- Taxes, Exemption and Credits - As introduced, authorizes a sales tax refund on purchases made by persons receiving insurance settlements or filing insurance claims for damages resulting from disasters occurring in 2011; extends the filing deadline for applications to June 30, 2012. - Amends TCA Title 67, Chapter 6, Part 3. by *Bell, *Barnes, *Beavers, *Berke, *Burks, *Campfield, *Crowe, *Faulk, *Finney L, *Ford, *Gresham, *Harper, *Haynes, *Henry, *Herron, *Johnson, *Kelsey, *Ketron, *Kyle, *Marrero, *Massey, *McNally, *Norris, *Overbey, *Roberts, *Southerland, *Stewart, *Summerville, *Tate, *Tracy, *Watson, *Yager, *Ramsey. (HB2889 by *Watson, *Forgety, *Dean, *Cobb, *Floyd, *Matlock, *Brooks K)

Senate Bill No. 2809 -- Education, Higher - As introduced, requires public postsecondary institutions, under certain conditions, to accept for credit any dual credit course developed by another public postsecondary institution in collaboration with a high school. - Amends TCA Title 49. by *Tracy, *Marrero, *Stewart. (*HB2613 by *Brooks H, *McCormick, *Naifeh, *DeBerry L, *Fitzhugh, *Montgomery, *Powers, *Dunn, *Brooks K, *Hensley)

WEDNESDAY, APRIL 25, 2012 – SEVENTY-NINTH LEGISLATIVE DAY UNOFFICIAL VERSION

Senate Bill No. 2890 -- Liens - As introduced, creates the Class E felony of preparing, signing or filing a lien or other document intended to encumber land when the person has no reasonable legal basis for placing the lien on the property. - Amends TCA Title 39, Chapter 17, Part 1. by *Kelsey, *Ford. (*HB2888 by *Coley, *Watson, *Maggart, *Lundberg, *Matheny)

***Senate Bill No. 2895** -- Professions and Occupations - As introduced, increases from three years to four years the amount of time a scrap metal dealer must maintain records of scrap metal transactions on site and available for inspection. - Amends TCA Title 62. by *Tracy, *Burks. (HB3246 by *Matheny, *Dean)

Senate Bill No. 2923 -- Workers Compensation - As introduced, clarifies that either party in a worker's compensation dispute may bring suit in the county in which the employee resided at the time of the injury, revising current law's requirement that it be the county where the employee resides, when issues remain after the benefit review conference. - Amends TCA Title 50. by *Overbey, *Ketron, *Bell. (*HB2808 by *Dennis)

Senate Bill No. 2929 -- Welfare - As introduced, specifies that the final study of medical assistance program and any participating managed care organizations be reported to the finance, ways and means committees of the senate and the house, the office of legislative budget analysis and the fiscal review committee on or before April 1 of each year, instead of April 15. - Amends TCA Title 71. by *Overbey. (*HB2969 by *Harrison)

RECESS MOTION

On motion of Rep. McCormick, the House stood in recess until 9:00 a.m., Thursday, April 26, 2012.